

AN ORDINANCE TO AMEND ALL OF ARTICLE III A PROCEDURES FOR SUBMISSION OF "MAJOR"
SUBDIVISIONS SECTION 9 PRIMARY PLAT APPROVAL (MAJOR SUBDIVISION)
OF THE SUBDIVISION CONTROL ORDINANCE IN EFFECT FOR WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA, as follows to wit:

Section 1. That Article III A Procedures for Submission of "Major" Subdivisions Section 9 Primary Plat approval (Major Subdivision) be and the same hereby amended to read as follows:


SECTION 9: PRIMARY PLAT APPROVAL (MAJOR SUBDIVISION)

1. In determining whether to grant primary approval of a plat, the plan commission shall determine if the plat or subdivision qualifies for primary approval under standards prescribed in the subdivision ordinance. Following the public meeting the Commission shall render primary approval or disapproval of the plat with or without conditions.
2. The standards fixed in the subdivision control ordinance may be waived at the discretion of the commission; however, to be approved, the plat must still meet all applicable standards prescribed in the zoning ordinance. As a condition of granting a waiver, the commission, may allow or require a commitment to be made as described in part in Indiana Code 36-7-4-1015 "as a condition to primary approval of a proposed subdivision plat or development plan the owner of a parcel of real property may be required or allowed to make a commitment to the plan commission concerning the use or development of that parcel". (See Comprehensive Zoning Ordinance for the IC 36-7-4-1015 in its entirety)
3. Primary approval is strictly tentative, involving the general acceptability of the layout submitted and shall be effective for a maximum period of five (5) years unless, upon application of the subdivider, the Executive Director grants an extension for one (1) year. If the plat has not been submitted for secondary approval within this time limit, the primary plat shall be considered null and void and no further action shall be taken except by re-application as hereinbefore provided.
4. If, after the hearing the Commission determines the application and plat comply with the standards in the Subdivision Control Ordinance, it shall make written findings granting primary approval to the plat in triplicate form signed by the President or the Commission and certified by the Executive Director. This decision, which must also specify any condition imposed or waiver granted.
5. If, after the hearing the Commission disapproves the plat, it shall make written findings that set forth its reasons denying primary approval and provide the applicant a copy.

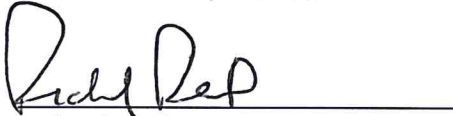
6. Primary approval of a plat, with or without conditions, shall in no way constitute approval of the plat required prior to being filed with the auditor and recorder. However, the Commission, Executive Director or County Commissioners may not impose any additional terms, conditions or commitments after primary approval.

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners for Warrick County, State of Indiana.


Approved this 10th day of June, 2013.


Don Williams, President


Marlin Weisheit, Member


Richard Reid, Member

ATTEST:


L.B. Dugan, Auditor

Public Hearing held by Plan Commission, May 13, 2013.